

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHARLES DOTSON, JR.,

Plaintiff,

v.

CALVIN UNIVERSITY, et al.,

Defendants.

Case No. 1:24-cv-1111

HON. JANE M. BECKERING

**ORDER**

Defendants Amy and David Tyrrell filed a Motion to Dismiss (ECF No. 19), arguing that Plaintiff has failed to allege sufficient facts to support Count VI in the Complaint. If true, the claim would be defective under the Supreme Court’s plausibility standard. *See Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007). Without expressing any view as to the merits of the motion, the Court will afford Plaintiff the opportunity to cure the allegedly inadequate claim by granting Plaintiff leave to file an amended complaint, as allowed by Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure. Any amended complaint must plead sufficient factual allegations that, if true, would “plausibly give rise to an entitlement to relief.” *Iqbal*, 556 U.S. at 680. If Plaintiff timely files an amended complaint, then the Court will deny the motion to dismiss as moot. If Plaintiff does not timely file an amended complaint, then Plaintiff must file a response to the motion to dismiss, and the Court will decide the motion.

Accordingly:

**IT IS HEREBY ORDERED** that Plaintiff must file either (a) an amended complaint within 21 days after service of the motion to dismiss, FED. R. CIV. P. 15(a)(1)(B); or (b) a response

to the motion to dismiss within 28 days after service of the motion to dismiss, W.D. Mich. LCivR 7.2(c).

Dated: December 11, 2024

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge